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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,853	07/09/2003	Yoshifumi Kato	5000-5113	1775

27123 7590 08/28/2006  
MORGAN & FINNEGAN, L.L.P.  
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NEW YORK, NY 10281-2101

EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2628

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/616,853	KATO, YOSHIFUMI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Motilewa Good-Johnson	2628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/11/2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Uehara et al. U.S. Patent Number 4,772,885.

Regarding claim 1, Uehara discloses a liquid crystal display unit comprising: a liquid crystal panel (19), wherein the liquid crystal panel has a plurality of sub-pixels, and wherein the liquid crystal panel includes a plurality of data electrodes (23, common electrode, which Examiner interprets as data electrodes) extending parallel to each other, a plurality of scanning electrodes (21, pixel electrodes, which Examiner interprets

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as scanning electrodes) extending parallel to each other, and a liquid crystal (19) located between the data electrodes and the scanning electrodes (figure 1); a plurality of color filter members (63a-63c) having different colors for displaying a color image, wherein each color filter member is located at a position corresponding to at least one of the sub-pixels; and an organic electroluminescent device (41, electroluminescent light source) located behind the liquid crystal panel, wherein the organic electroluminescent device functions as a backlight (figure 1), wherein the organic electroluminescent device has a plurality of organic electroluminescent bodies (43), wherein each organic electroluminescent body located opposite to a corresponding color filter member (43a-43c) that has the same color as the color of light emitted from the organic electroluminescent body, and wherein each organic electroluminescent body emits light toward the corresponding color filter member (col. 4, lines 41-57), wherein the organic electroluminescent device includes a pair of electrodes (45, 47) that are provided independently of the electrodes of the liquid crystal panel, and wherein the pair of electrodes sandwiches the organic electroluminescent bodies (41)

Regarding claim 2, Uehara discloses wherein the color filter members are arranged parallel to each other (col. 7, lines 18-26), wherein the organic electroluminescent bodies extend parallel to each other, and wherein each organic electroluminescent body extends parallel to the corresponding color filter member (col. 7, lines 18-26)

Regarding claim 3, Uehara discloses wherein the organic electroluminescent device is designed so that the organic electroluminescent bodies emit light simultaneously (col. 7, lines 65-68)

Regarding claim 4, Uehara discloses wherein when voltage is applied to the pair of electrodes, that the organic electroluminescent bodies emit light simultaneously all of the organic electroluminescent bodies emit light simultaneously (col. 4, lines 17-24)

Regarding claim 5, Uehara discloses wherein the organic electroluminescent device driven is by a line-sequential drive system (col. 5, lines 24-27)

Regarding claim 6, Uehara discloses wherein each scanning electrode partially corresponds to each of the organic electroluminescent bodies, and wherein, when voltage is applied to any of the scanning electrodes, parts of the organic electroluminescent bodies that correspond to the excited scanning electrodes emit light (col. 4, lines 25-35)

Regarding claim 7, Uehara discloses wherein one of the pair of electrodes is a reflective electrode (47) is located on the opposite side of the liquid crystal panel with respect to the organic electroluminescent bodies (figure 1), and wherein the reflective electrode reflects light that enters through the liquid crystal panel toward the liquid crystal panel (col. 10, lines 24-33)

Regarding claim 8, Uehara discloses wherein each organic electroluminescent body coincides in shape with the color filter member that corresponds to the organic electroluminescent body in a light output direction (col. 8, lines 1-20)

Regarding claim 9, it is rejected based on similar rational as claim 1.

Regarding claim 10, Uehara discloses wherein each organic electroluminescent body coincides in shape with the color filter member that corresponds to the organic electroluminescent body in a light output direction (figure 6)

Regarding claim 11, Uehara discloses wherein one of the pair of electrodes comprises a plurality of reflective electrodes (47), wherein the reflective electrodes are located on the opposite side of the liquid crystal panel with respect to the organic electroluminescent bodies (figure 1), and wherein parts of the organic electroluminescent bodies that correspond to the excited scanning electrodes emit light by driving the reflective electrodes in synchronization with the scanning electrodes (col. 7, lines 12-23)

Regarding claim 12, Uehara discloses where one of the pair of electrodes is a first electrode that reflects light and the other one of the pair of electrodes is a second electrode that permits light to pass therethrough, wherein at least one of the first and

second electrodes is a single flat sheet along which all the organic electroluminescent bodies are disposed (col. 6, lines 4-15)

***Response to Arguments***

3. Applicant's arguments, see page 8-9, filed 12/12/2005, with respect to the rejection(s) of claim(s) 1-10 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Uehara.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa Good-Johnson whose telephone number is (571) 272-7658. The examiner can normally be reached on Monday, Tuesday and Wednesday 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on (571) 272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Motilewa Good-Johnson  
Examiner  
Art Unit 2628

mgj

A handwritten signature in black ink, appearing to read 'K. M. TUNG', with a long, sweeping vertical line extending downwards from the end of the signature.

KEE M. TUNG  
SUPERVISORY PATENT EXAMINER